

REISSUE APPLICATION DECLARATION BY THE INVENTOR

Docket Number (Optional)
10557/247605

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is described and claimed in patent number 5,931,870, granted August 3, 1999, and for which a reissue patent is sought on the invention entitled Acetabular Ring Prosthesis With Reinforcement Buttress, the specification of which

☒ is attached hereto.

☒ was filed on _____ as reissue application number _____ /
and was amended on _____
(If applicable)

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)

☐ by reason of a defective specification or drawing.☒ by reason of the patentee claiming more or less than he had the right to claim in the patent.☐ by reason of other errors.

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[Page 1 of 4]

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Name(s) See attached list		Registration Number See attached list	
Correspondence Address: Direct all communications about the application to:			
<input checked="" type="checkbox"/> Customer Number		23370	
OR		Type Customer Number here	
		<div style="border: 1px solid black; padding: 5px; display: inline-block;">Place Customer Number Bar Code Label here</div>	
<input type="checkbox"/> Firm or Individual Name			
Address			
Address			
City		State	ZIP
Country			
Telephone		Fax	
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.			
Full name of sole or first inventor (given name, family name) John M. Cuckler			
Inventor's signature			
Residence		Date	
Mailing Address same as above		Citizenship U.S.	
Full name of second joint inventor (given name, family name) Joseph Schatzker			
Inventor's signature		Date	
Residence		Citizenship U.S.	
Mailing Address Same as above			
Full name of third joint inventor (given name, family name) Allan E. Gross			
Inventor's signature <i>Allan E. Gross</i>		Date <i>July 16/01</i>	
Residence <i>93 GLEN EDDY DRIVE</i>		Citizenship <i>CANADIAN</i>	
Mailing Address <i>93 GLEN EDDY DR. TORONTO M4V2V8</i>			
<input checked="" type="checkbox"/> Additional joint inventors are named on separately numbered sheets attached hereto.			

Full name of fourth joint inventor (given name, family name)	
Constance E. Johnston	
Inventor's signature	Date
Residence	Citizenship
Mailing Address	
Full name of fifth joint inventor (given name, family name)	
David C. Kelman	
Inventor's signature	Date
Residence	Citizenship
Mailing Address	
Full name of sixth joint inventor (given name, family name)	
Timothy McTighe	
Inventor's signature	Date
Residence	Citizenship
Mailing Address	

FIRM NAME:

KILPATRICK STOCKTON LLP, 1100 Peachtree Street, Suite 2800 Atlanta, Georgia 30309-4530

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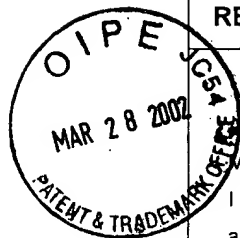
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Joel Petrow	30,886
William B. Clemmons, Jr.	32,558
George Stacey	35,688

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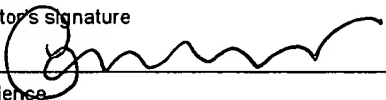
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Mailing Address same as above		Citizenship U.S.	
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Inventor's signature		Date	
Residence		Citizenship U.S.	
Mailing Address Same as above			
Full name of third joint inventor (given name, family name) Allan E. Gross			
Inventor's signature		Date	
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Mailing Address			
<input checked="" type="checkbox"/> Additional joint inventors are named on separately numbered sheets attached hereto.			

Full name of fourth joint inventor (given name, family name)	
Constance E. Johnston	
Inventor's signature 	Date June 12, 2001
Residence	Citizenship USA
Mailing Address 10863 Raleigh LaGrange, Eads, TN, 38028	
Full name of fifth joint inventor (given name, family name)	
David C. Kelman	
Inventor's signature	Date
Residence	Citizenship
Mailing Address	
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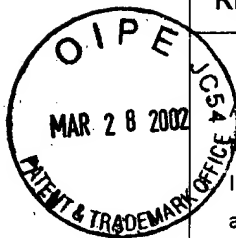
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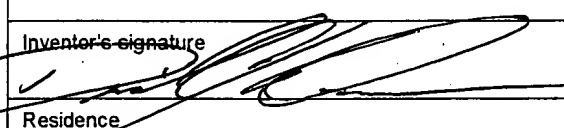
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Mailing Address	
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David C. Kelman	
Inventor's signature 	Date 01-15-02
Residence USA	Citizenship AMERICAN
Mailing Address 10306 Shrewsbury Run West Billerica, TN 38017	
Full name of sixth joint inventor (given name, family name)	
Timothy McTighe	
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same as above

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Joseph Schatzker

Inventor's signature

Date

Residence

Citizenship
U.S.

Mailing Address
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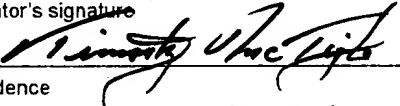
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Timothy McTighe	
Inventor's signature 	Date 7-26-01
Residence McTighe	Citizenship U.S.
Mailing Address 17321 Buckthorne Drive Chagrin Falls, OH 44023	

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Jeffery B. Arnold	39,540
Mary Anthony Merchant	39,771
Brenda Ozaki Holmes	40,339
Lisa J. Moyles	40,737
Michael J. Turton	40,852

Attorney and/or Agent	Registration No.
Yoncha L. Kundupoglu	41,130
Scott Zimmerman	41,390
Kimberly J. Prior	41,483
Alana G. Kriegsman	41,747
Theodore M. Green	41,801
J. Steven Gardner	41,772
Joni Stutman	42,173
James J. Bindseil	42,326
Heather D. Carmichael	42,389
John K. McDonald	42,860
Sima Singadia Kulkarni	43,732
Camilla Camp Williams	43,992
Christopher J. Chan	44,070
Li K. Wang	44,393
John William Ball, Jr.	44,433
Dawn-Marie Bey	44,442
Tiep H. Nguyen	44,465
John M. Briski	44,562
Michael J. Dimino	44,657
Kristin L. Johnson	44,807
J. Jason Link	44,874
Paul E. Knowlton	44,842
Bambi F. Walters	45,197
Cheryl L. Huseman	45,392
Shelby B. Grier	45,785
Jennifer R. Seng	45,851
Vaibhav P. Kadaba	45,865
Greg Moldafsky	46,514
J. Michael Boggs	46,563
Michael K. Dixon	46,665
Kyle M. Globerman	46,730
Tywanda L. Harris	46,758
Kristin D. Mallatt	46,895
Cynthia B. Rothschild	47,040
John C. Alemanni	47,384
Geoffrey K. Gavin	47,591
Robert M. Stevens	47,972

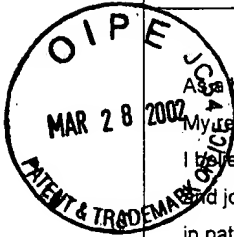
In addition to the above, the following associate attorneys are hereby appointed to prosecute and transact all business in the U.S. Patent and Trademark Office connected therewith:

Joel Petrow	30,886
William B. Clemmons, Jr.	32,558
George Stacey	35,688

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

REISSUE APPLICATION DECLARATION BY THE INVENTOR

Docket Number (Optional)
10557/247605



As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is described and claimed in patent number 5,931,870, granted August 3, 1999, and for which a reissue patent is sought on the invention entitled Acetabular Ring Prosthesis With Reinforcement Buttress,

the specification of which

☒ is attached hereto.

☒ was filed on _____ as reissue application number _____ /
and was amended on _____

(If applicable)

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)

☐ by reason of a defective specification or drawing.

☒ by reason of the patentee claiming more or less than he had the right to claim in the patent.

☐ by reason of other errors.

At least one error upon which reissue is based is described as follows:

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(REISSUE APPLICATION DECLARATION BY THE INVENTOR, page 2)

Docket Number (Optional)
10557/247605

All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant. As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Name(s)

Registration Number

See attached list

See attached list

Correspondence Address: Direct all communications about the application to:

☒ Customer Number

23370

OR

Type Customer Number here

Place Customer Number
Bar Code Label here

☐ Firm or
Individual Name

Address

Address

City

State

ZIP

Country

Telephone

Fax

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

Full name of sole or first inventor (given name, family name)

John M. Cuckler

Inventor's signature

Residence

Date

Mailing Address
same as above

Citizenship
U.S.

Full name of second joint inventor (given name, family name)

Joseph Schatzker

Inventor's signature

Date

Residence

Citizenship
U.S.

Mailing Address
Same as above

Full name of third joint inventor (given name, family name)

Allan E. Gross

Inventor's signature

Date

Residence

Citizenship

Mailing Address

☒ Additional joint inventors are named on separately numbered sheets attached hereto.

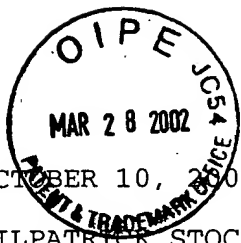
Full name of fourth joint inventor (given name, family name)	
Constance E. Johnston	
Inventor's signature	Date
Residence	Citizenship
Mailing Address	
Full name of fifth joint inventor (given name, family name)	
David C. Kelman	
Inventor's signature	Date
Residence	Citizenship
Mailing Address	
Full name of sixth joint inventor (given name, family name)	
Timothy McTighe	
Inventor's signature	Date
Residence	Citizenship
Mailing Address	

Attorney and/or Agent	Registration No.
Roger T. Frost	22,176
Charles Y. Lackey	22,707
Anthony B. Askew	24,154
John M. Harrington	25,592
Robert E. Richards	29,105
Donald R. Andersen	28,280
John S. Pratt	29,476
A. Jose Cortina	29,733
James L. Ewing, IV	30,630
Stephen M. Schaetzel	31,418
James Dean Johnson	31,771
Charles W. Calkins	31,814
Larry A. Roberts	31,871
Jamie L. Greene	32,467
George T. Marcou	33,014
Bernard J. Graves, Jr.	33,239
Dean W. Russell	33,452
Richard T. Peterson	35,320
Charles T. Simmons	35,359
Tracy W. Druce	35,493
Eleanor M. Musick	35,623
Nora M. Tocups	35,717
Bruce D. Gray	35,799
Theodore R. Harper	35,890
Geoff L. Sutcliffe	36,348
Stephen B. Parker	36,631
Pat Winston Kennedy	36,970
Leona G. Young	37,266
David P. Lecroy	37,869
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OCTOBER 10, 2001

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KILPATRICK STOCKTON LLP
JOHN S. PRATT
1100 PEACHTREE STREET
SUITE 2800
ATLANTA, GA 30309-4530

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 08/03/2001

REEL/FRAME: 012048/0302
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:
JOHNSTON, CONSTANCE E.

DOC DATE: 04/14/1997

RECEIVED

ASSIGNEE:
SMITH & NEPHEW, INC.
1450 BROOKS ROAD
MEMPHIS, TENNESSEE 38116

MAR 29 2002

OFFICE OF PETITIONS

SERIAL NUMBER: 08727948
PATENT NUMBER: 5931870

FILING DATE: 10/09/1996
ISSUE DATE: 08/03/1999

MARCUS KIRK, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

ENTERED COMPUTER

ON 10/31/01 HL

247605

08-10-2001



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U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

OMB No. 0651-0011 (exp. 4/94)

101807086

Atty Docket No. 10557/247605

To the Assistant Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

83-01

Constance E. Johnston

Additional names(s) of conveying party(ies) attached ☐ Yes ☒ No

3. Nature of conveyance:

☒ Assignment

☐ Merger

☐ Security Agreement

☐ Change of Name

☐ Other:

Execution Date: April 14, 1997

2. Name and address of receiving party(ies)

Name: Smith & Nephew, Inc.

Internal Address

AUG 3 2001

Street Address: 1450 Brooks Road

City: Memphis State: Tennessee Postal Code: 38116

Additional names(s) & address(es) attached? ☐ Yes ☒ No

4. Application numbers(s) or patent numbers(s):

If this document is being filed together with a new application, the execution date of the application is: _____

A. Patent Application No.(s)

B. Patent No.(s)

08/727,948

(now U.S. Patent No. 5,931,870)

Additional numbers attached?

☐

Yes

☒

No

40E

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: John S. Pratt

Internal Address: Kilpatrick Stockton LLP
Suite 2800

Street Address: 1100 Peachtree Street

City: Atlanta State: GA Zip 30309-4530

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41).....\$ 40.00

☒ Enclosed

The Commissioner is authorized to charge any deficiency in the required fee or credit any over payment to Deposit Account No. 11-0855.

☐ Authorized to be charged to deposit account

8. Deposit account number:

11-0855

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9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Kristin D. Mallatt, Reg. No. 46,895

Name of Person Signing

Kristin D. Mallatt

Signature

8/10/01

Date

Total number of pages including cover sheet, attachments, and document: 3

08/09/2001 LMUELLER 00000083 08727948

01 FC:581

40.00

Mail documents to be recorded with required cover sheet information to:
Commissioner of Patents & Trademarks, Box Assignments
Washington, D.C. 20231

ASSIGNMENT

WHEREAS, I, CONSTANCE E. JOHNSTON, am a joint inventor of "ACETABULAR RING PROSTHESIS WITH REINFORCEMENT BUTTRESS", application for United States Letters Patent Serial No. 08/727,948, filed 10/09/96; and

WHEREAS, SMITH & NEPHEW, INC., a corporation created and existing under and by virtue of the laws of the State of Delaware, is desirous of acquiring the entire right, title and interest in and to the aforesaid invention throughout the world, and all right, title and interest in, to and under any and all Letters Patent of the United States and all other countries throughout the world;

NOW, THEREFORE, for and in consideration of the sum of One Dollar (\$1.00) to me in hand paid by SMITH & NEPHEW, INC. and for other good and valuable considerations, the receipt of which is hereby acknowledged, I hereby sell, assign, transfer and set over to SMITH & NEPHEW, INC. all right, title and interest in and to the said invention throughout the world, and said application for U.S. Letters Patent, and any and all divisions, continuations, continuations-in-part, and reissues thereof, and any and all Letters Patent of the United States and foreign countries which may be granted therefor, the same to be held and enjoyed by SMITH & NEPHEW, INC. for its own use and benefit, and for the use and benefit of its successors, assigns, or other legal representatives, to the end of the term or terms for which said Letters Patent of the United States or foreign countries are or may be granted or reissued, as fully and entirely as the same would have been held and enjoyed by me if this assignment and sale had not been made.

And I hereby authorize and request the Commissioner of Patents and Trademarks to issue any and all Letters Patent of the United States on said invention or resulting from said application and from any and all divisions, continuations, continuations-in-part, and reissues thereof, to SMITH & NEPHEW, INC. as assignee of my entire interest, and hereby covenant that I have the full right to convey the entire interest herein assigned, and that I have not executed and will not execute any agreement in conflict herewith.

And I further hereby covenant and agree that I will, at any time, upon request, execute and deliver any and all papers that may be necessary or desirable to perfect the title of said invention and to such Letters Patent as may be granted therefor, to SMITH & NEPHEW, INC., its successors, assigns, or other legal representatives and that if SMITH & NEPHEW, INC., its successors, assigns or other legal representatives shall desire to file any divisional continuation, or continuation-in-part applications or to secure a reissue of such Letters Patent, or to file a disclaimer relating thereto, will upon request, sign all papers, make all rightful oaths and do all lawful acts requisite for the filing of such divisional, continuation, or continuation-in-part

application, or such application for reissue and the procuring thereof, and for the filing of such disclaimer, without further compensation but at the expense of said assignee, its successors, or other legal representatives.

And I do further covenant and agree that I will, at any time upon request, communicate to SMITH & NEPHEW, INC., its successors, assigns or other legal representatives, such facts relating to said invention and Letters Patent or the file history thereof as may be known to me, and testify as to the same in any interference or other litigation when requested so to do, without further compensation but at the expense of said assignee, its successors, or other legal representatives.

EXECUTED THIS 14th day of April, 1997.



CONSTANCE E. JOHNSTON

STATE OF TENNESSEE

COUNTY OF SHELBY

BEFORE ME, the undersigned authority, on this day personally appeared CONSTANCE E. JOHNSTON known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND and seal of office this ____ day of _____, 1997.

Notary Public in and for
The State of Tennessee